

ORDINANCE NO. 5402

AN ORDINANCE of the City Council of the City of Bremerton, Washington, establishing a planned action for the Eastside Village pursuant to the State Environmental Policy Act

WHEREAS, the State Environmental Policy Act (SEPA) and implementing rules provide for the integration of environmental review with land use planning and project review through designation of “Planned Actions” by jurisdictions planning under the Growth Management Act (GMA); and

WHEREAS, the City has adopted a Comprehensive Plan complying with the GMA; and

WHEREAS, the City has received a legislative appropriation to conduct a market study, subarea plan, and planned action environmental impact statement for the Eastside Employment Center, retitled Eastside Village through this planning process; and

WHEREAS, to guide Eastside Village’s growth and redevelopment, the City has engaged in extensive subarea planning and has adopted amendments to the Bremerton Comprehensive Plan including the Eastside Village Subarea Plan; and

WHEREAS, the City desires to designate a Planned Action for the Eastside Village; and

WHEREAS, designation of a Planned Action expedites the permitting process for subsequent, implementing projects whose impacts have been previously addressed in a Planned Action environmental impact statement (EIS), and thereby encourages desired growth and economic development; and

WHEREAS, the Eastside Employment Center Planned Action EIS (now known as the Eastside Village Planned Action EIS) identifies impacts and mitigation measures associated with planned development in the Eastside Village. The Draft EIS refers to the Eastside Employment Center Planned Action EIS. For the Final EIS the document was titled the Eastside Village (with the document publishing under the Sheridan/Harrison Center name as the name was revised); and

WHEREAS, the City has adopted development regulations and ordinances which will help protect the environment, and is adopting regulations specific to the Eastside Village which will guide the allocation, form, and quality of desired development; and

WHEREAS, the City’s SEPA Rules, set forth in BMC 20.04.205 provide for Planned Actions within the City; and

WHEREAS, the City as lead agency provided public comment opportunities through an EIS scoping period from September 26 to November 15, 2019, and a public comment period for the Eastside Village Draft Subarea Plan and Draft Planned Action EIS from March 6, 2020 to April 7, 2020, and held public meetings and hearings as part of a coordinated Eastside Village public participation program throughout 2019 and 2020; and

WHEREAS, the City provided notice of a community meeting on March 18, 2020 advertising the community meeting held on April 6, 2020 by emailing to all affected federally recognized tribal governments and agencies with jurisdiction over the future development anticipated for the planned action, in compliance with RCW 43.21C.440; and

WHEREAS, the City held a community meeting on April 6, 2020 in compliance with RCW 43.21C.440; and

WHEREAS, on June 15, 2020 and July 20, 2020 the Planning Commission held public hearings after due notice on June 5, 2020 and July 10, 2020 to all parties of record and all affected federally recognized tribal governments and agencies with jurisdiction over the future development for the Eastside Village Subarea Plan; and

WHEREAS, on September 25, 2020 the City Council provided notification of a public hearing to be held on October 7, 2020 to all parties of record and all affected federally recognized tribal governments and agencies with jurisdiction over the future development for the Eastside Village Subarea Plan; and

WHEREAS, the City Council held a public hearing on October 7, 2020, the Eastside Village Subarea Plan; and

WHEREAS, on September 25, 2020 the City provided notification of a public hearing to be held on October 7, 2020 to all parties of record and all affected federally recognized tribal governments and agencies with jurisdiction over the future development anticipated for the planned action; and

WHEREAS, the City Council held a public hearing on October 7, 2020 and considered public comment; NOW, THEREFORE,

THE CITY COUNCIL OF THE CITY OF BREMERTON, WASHINGTON,
DOES HEREBY ORDAIN AS FOLLOWS:

SECTION 1. Recitals. The recitals set forth in this ordinance are hereby incorporated as if fully set forth herein.

SECTION 2. Purpose. The City Council declares that the purpose of this ordinance is to:

A. Combine environmental analysis, land use plans, development regulations, City codes and ordinances together with the mitigation measures in the Eastside Village Planned Action EIS to mitigate environmental impacts and process planned action development applications in the Planned Action Area;

B. Designate the Eastside Village as a Planned Action Area for purposes of environmental review and permitting of subsequent, implementing projects pursuant to SEPA, RCW 43.21C.440;

C. Determine that the EIS prepared for the Eastside Village Subarea Plan meets the requirements of a Planned Action EIS pursuant to SEPA;

D. Establish criteria and procedures, consistent with state law, that will determine whether subsequent projects within the Planned Action Area qualify as Planned Actions;

- E. Provide the public with information about Planned Actions and how the City will process implementing projects within the Planned Action Area;
- F. Streamline and expedite the land use permit review process by relying on the EIS completed for the Planned Action; and
- G. Apply the City's development regulations together with the mitigation measures described in the EIS and this Ordinance to address the impacts of future development contemplated by this Ordinance.

SECTION 3. Findings. The City Council finds as follows:

- A. The City is subject to the requirements of the GMA (RCW 36.70A), and is applying the Planned Action to a UGA [Urban Growth Area]; and
- B. The City has adopted a Comprehensive Plan complying with the GMA, and is amending the Comprehensive Plan to incorporate a subarea element specific to the Eastside Village; and
- C. The City is adopting development regulations concurrent with the Eastside Village Subarea Plan to implement said Plan, including this ordinance; and
- D. An EIS has been prepared for the Planned Action Area, and the City Council finds that the EIS adequately identifies and addresses the probable significant environmental impacts associated with the type and amount of development planned to occur in the designated Planned Action Area; and
- E. The mitigation measures identified in the Eastside Village Planned Action EIS and attached to this ordinance as Exhibit B, incorporated herein by reference, together with adopted City development regulations, will adequately mitigate significant impacts from development within the Planned Action Area; and
- F. The Eastside Village Subarea Plan and Eastside Village Planned Action EIS identify the location, type and amount of development that is contemplated by the Planned Action; and
- G. Future projects that are implemented consistent with the Planned Action will protect the environment, benefit the public and enhance economic development; and
- H. The City provided several opportunities for meaningful public involvement in the Eastside Village Subarea Plan and Planned Action EIS, including a community meeting prior to the publication of notice for the planned action ordinance; have considered all comments received; and, as appropriate, have modified the proposal or mitigation measures in response to comments;
- I. Essential public facilities defined in RCW 47.06.140 are excluded from the Planned Action and not eligible for review or permitting as Planned Actions unless they are accessory to or part of a project that otherwise qualifies as a planned action; and
- J. The Planned Action applies to a defined area that is smaller than the overall City boundaries and smaller than overall County designated UGAs; and
- K. Public services and facilities are adequate to serve the proposed Planned Action, with implementation of Subarea Plan and mitigation measures identified in the EIS.

SECTION 4. Procedures and Criteria for Evaluating and Determining Planned Action Projects within Planned Action Area.

- A. Planned Action Area. This Planned Action designation shall apply to the area shown in **Exhibit A**, incorporated herein by reference.
- B. Environmental Document. A Planned Action determination for a site-specific project application within the Planned Action Area shall be based on the environmental analysis contained in the Draft EIS issued by the City on March 6, 2020 and the Final EIS published on

September 14, 2020. The Draft and Final EIS documents shall comprise the Eastside Village Planned Action EIS for the Planned Action Area. The mitigation measures contained in **Exhibit B**, attached to this Ordinance and incorporated herein by reference, are based upon the findings of the Planned Action EIS and shall, along with adopted City regulations, provide the framework that the City will use to apply appropriate conditions on qualifying Planned Action projects within the Planned Action Area.

C. Planned Action Designated. Land uses and activities described in the Planned Action EIS, subject to the thresholds described in Subsection 4(D) and the mitigation measures contained in **Exhibit B**, are designated Planned Actions or Planned Action Projects pursuant to RCW 43.21C.440. A development application for a site-specific Planned Action project located within Planned Action Area shall be designated a Planned Action if it completes the modified SEPA Checklist in **Exhibit B** and meets the criteria set forth in Subsection 4(D) of this Ordinance and all other applicable laws, codes, development regulations and standards of the City are met.

D. Planned Action Qualifications. The following thresholds shall be used to determine if a site-specific development proposed within the Planned Action Area was contemplated as a Planned Action and has had its environmental impacts evaluated in the Planned Action EIS:

(1) Qualifying Land Uses.

(a) Planned Action Categories: The following general categories/types of land uses are defined the Eastside Village Subarea Plan and are considered Planned Actions:

i. Mixed Use and Multi Use Development: Mixed Use and Multi Use zoned uses including but not limited to retail, hotel, office, services, townhomes, and apartments in horizontal or vertical patterns consistent with zone requirements.

ii. Residential: Center Residential-High, Center Residential-Medium, and Center Residential-Low uses including but not limited to attached single family, cottages, townhomes, apartments, and accessory dwelling units consistent with zone requirements.

iii. Commercial: Center Employment Corporate Campus or Retail commercial uses including retail, hotel, office, and services consistent with zone requirements.

iv. Open Space, Recreation: Active and passive parks, recreation, and open space facilities consistent with zone requirements.

(b) Planned Action Uses: A land use shall be considered a Planned Action Land Use when:

- i. it is within the Planned Action Area as shown in Exhibit A;
- ii. it is within the one or more of the land use categories described in subsection 1(a) above; and
- iii. it is listed in development regulations applicable to the zoning classifications applied to properties within the Planned Action Area.

A Planned Action may be a single Planned Action use or a combination of Planned Action uses together in a mixed use development. Planned Action uses include accessory uses.

(c) Public Services: The following public services, infrastructure and utilities are also Planned Actions: Multi-modal transportation improvements, water and sewer improvements, and stormwater improvements, considered in capital plans associated with the Eastside Village Subarea Plan.

i. Applicants for public services, infrastructure and utilities projects shall demonstrate consistency with the Eastside Village Subarea Plan, Bremerton Shoreline Master Program, and Bremerton Critical Areas Ordinance.

ii. Essential public facilities defined in RCW 47.06.140 are excluded from the Planned Action and not eligible for review or permitting as Planned Actions unless they are accessory to or part of a project that otherwise qualifies as a planned action.

(2) Development Thresholds:

(a) Land Use: The following amounts of various new land uses are contemplated by the Planned Action:

Table D2a-1. Alternative Comparison of Total and Net Growth

	Existing	No Action	Net Change*	Residential Focus	Net Change*	Employment Focus	Net Change*	Preferred	Net Change
Population	451	1,240	789	3,740	3,289	2,030	1,579	3,610	3,159
Dwellings (including Conv Care)	332	787	455	2,155	1,823	1,170	838	2,080	1,748
Jobs	2,851	3,740	889	1,457	(1,394)	4,171	1,320	2,770	(81)

*Net change compared to existing.

Source: PSRC 2019; Fehr & Peers 2019; BERK, 2020.

(b) Shifting development amounts between land uses in Subsection 4(D)(2)(a) may be permitted when the total build-out is less than the aggregate amount of development reviewed in the EIS; the traffic trips for the preferred alternative are not exceeded; and, the development impacts identified in the Planned Action EIS and are mitigated consistent with Exhibit B.

(c) Further environmental review may be required pursuant to WAC 197-11-172, if any individual Planned Action or combination of Planned Actions exceed the development thresholds specified in this Ordinance and/or alter the assumptions and analysis in the Planned Action EIS.

(3) Transportation Thresholds:

(a) Trip Ranges & Thresholds. The maximum number of PM peak hour trips anticipated in the Planned Action Area and reviewed in the EIS is as follows:

Table D3a-1. PM Peak Hour Vehicle Trips Generated, All Alternatives

Alternative	PM Peak Hour Vehicle Trips	Net Change in Trip Generation Compared to No Action Alternative
No Action Alternative	1,656	—
Residential Focus Alternative	1,568	-88
Employment Focus Alternative	1,972	316
Preferred Alternative	1,972	316

Source: Fehr & Peers, 2020.

(b) **Concurrency.** All Planned Actions shall meet the transportation concurrency requirements and the level of service (LOS) thresholds established in the Bremerton Comprehensive Plan and Chapter 11.12 BMC Transportation Development Code.

(c) **Traffic Impact and Mitigation.** The responsible City official shall require documentation by Planned Action Project applicants demonstrating that the total trips identified in Subsection 4.D(3)(a) are not exceeded, that the project meets the concurrency standards of Subsection 3.D(3)(b), and that the project has mitigated impacts consistent with **Exhibit B**. In lieu of the requirements of BMC 11.12.060, planned action applicants shall provide the following documentation:

- (i) Trip generation and total trips in relation to the trip bank in Subsection 3.D(3)(a) and (d).
- (ii) Site-specific access design and consistency with City standards.
- (iii) Implementation of required frontage improvements per Exhibit B-3.
- (iv) Share of cost on areawide mitigation per Exhibit B-3.

(d) **Discretion.** The City Engineer or his/her designee or his/her designee shall have discretion to determine incremental and total trip generation, consistent with the Institute of Traffic Engineers (ITE) Trip Generation Manual (latest edition) or an alternative manual accepted by the City Engineer at his or her sole discretion, for each project permit application proposed under this Planned Action.

(4) **Elements of the Environment and Degree of Impacts.** A proposed project that would result in a significant change in the type or degree of adverse impacts to any element(s) of the environment analyzed in the Planned Action EIS, would not qualify as a Planned Action.

(5) **Changed Conditions.** Should environmental conditions change significantly from those analyzed in the Planned Action EIS, the City's SEPA Responsible Official may determine that the Planned Action designation is no longer applicable until supplemental environmental review is conducted.

(6) **Substantive Authority.** Pursuant to SEPA Substantive Authority at BMC 20.04.010 and Comprehensive Plan Policies, impacts shall be mitigated through the measures included in **Exhibit B**.

E. Planned Action Review Criteria.

(1) The City's SEPA Responsible Official may designate as "planned actions", pursuant to RCW 43.21C.030, applications that meet all of the following conditions:

(a) The proposal is located within the Planned Action area identified in **Exhibit A** of this ordinance;

(b) The proposed uses and activities are consistent with those described in the Planned Action EIS and Subsection 4(D) of this ordinance;

(c) The proposal is within the Planned Action thresholds and other criteria of Subsection 4(D) of this ordinance;

(d) The proposal is consistent with the City of Bremerton Comprehensive Plan and the Eastside Village Subarea Plan;

(e) The proposal's significant adverse environmental impacts have been identified in the Planned Action EIS;

(f) The proposal's significant impacts have been mitigated by application of the measures identified in **Exhibit B**, and other applicable City regulations, together with any modifications or variances or special permits that may be required;

(g) The proposal complies with all applicable local, state and/or federal laws and regulations, and the SEPA Responsible Official determines that these constitute adequate mitigation; and

(h) The proposal is not an essential public facility as defined by RCW 36.70A.200(1), unless the essential public facility is accessory to or part of a development that is designated as a planned action under this ordinance.

(2) The City shall base its decision on review of a Planned Action SEPA checklist (Exhibit B), or an alternative form approved by state law, and review of the application and supporting documentation.

(3) A proposal that meets the criteria of this section shall be considered to qualify and be designated as a planned action, consistent with the requirements of RCW 43.21C.030, WAC 197-11-164 et seq., and this ordinance.

F. Effect of Planned Action.

(1) Designation as a Planned Action Project by the SEPA Responsible Official means that a qualifying proposal has been reviewed in accordance with this Ordinance and found to be consistent with the development parameters and thresholds established herein, and with the environmental analysis contained in the Planned Action EIS.

(2) Upon determination by the City's SEPA Responsible Official that the proposal meets the criteria of Subsection 4(D) and qualifies as a planned action, the proposal shall not require a SEPA threshold determination, preparation of an EIS, or be subject to further review pursuant to SEPA.

G. Planned Action Permit Process. Applications for planned actions shall be reviewed pursuant to the following process:

(1) Development applications shall meet all applicable requirements of the Bremerton Municipal Code (BMC). Applications for planned actions shall be made on forms provided by the City and shall include the Planned Action SEPA checklist (Exhibit B).

(2) The City's SEPA Responsible Official shall determine whether the application is complete as provided in BMC Chapter 20.02.

(3) If the application is for a project within the Planned Action Area defined in Exhibit A, the application will be reviewed to determine if it is consistent with the criteria of this ordinance and thereby qualifies as a Planned Action project.

(a) The decision of the City's SEPA Responsible Official regarding qualification of a project as a Planned Action is a Type 1 decision. The SEPA Responsible Official shall notify the applicant of his/her decision. Notice of the determination on Type 1 decisions involving a planned action shall also be mailed or otherwise verifiably delivered to federally recognized tribal governments and to agencies with jurisdiction over the planned action project, pursuant to RCW 43.21C.440.

(b) If the project is determined to qualify as a Planned Action, it shall proceed in accordance with the applicable permit review procedures specified in BMC Chapter 20.02, except that no SEPA threshold determination, EIS or additional SEPA review shall be required.

(c) Notice of the application for a planned action project shall be consistent with Chapter 20.02 BMC.

(4) If notice is otherwise required for the underlying permit, the notice shall state that the project has qualified as a Planned Action. If notice is not otherwise required for the underlying permit, no special notice is required by this ordinance. See Subsection 4(G)(3)(a) regarding notice of the Type 1 decision.

(5) To provide additional certainty about applicable requirements, the City or applicant may request consideration and execution of a development agreement for a Planned Action project, consistent with RCW 36.70B.170 et seq.

(6) If a project is determined to not qualify as a Planned Action, the SEPA Responsible Official shall so notify the applicant and prescribe a SEPA review procedure consistent with the City's SEPA regulations and the requirements of state law. The notice shall describe the elements of the application that result in failure to qualify as a Planned Action.

(7) Projects that fail to qualify as Planned Actions may incorporate or otherwise use relevant elements of the Planned Action EIS, as well as other relevant SEPA documents, to meet their SEPA requirements. The SEPA Responsible Official may limit the scope of SEPA review for the non-qualifying project to those issues and environmental impacts not previously addressed in the Planned Action EIS.

SECTION 5. Monitoring and Review.

A. The City should monitor the progress of development in the designated Planned Action area as deemed appropriate to ensure that it is consistent with the assumptions of this ordinance and the Planned Action EIS regarding the type and amount of development and associated impacts, and with the mitigation measures and improvements planned for the Planned Action Area.

B. This Planned Action Ordinance shall be reviewed by the SEPA Responsible Official no later than eight years from its effective date. The review shall determine the continuing relevance of the Planned Action assumptions and findings with respect to environmental conditions in the Planned Action area, the impacts of development, and required mitigation measures. The SEPA Responsible Official shall also consider the implementation of Public Agency Actions and Commitments in Exhibit C. Based upon this review, the City may propose amendments to this ordinance and/or may supplement or revise the Planned Action EIS.

SECTION 6. Section 20.04.100 of the BMC entitle "Use of Categorical Exemptions" for the State Environmental Policy Act (SEPA) is hereby amended as follows:

(a) Whenever a department within the City receives an application for a license or, in the case of governmental proposals, the department within the City initiates the proposal, the Planning Department shall determine whether the license and/or the proposal is exempt. The Planning Department's determination that a proposal is exempt shall be final and not subject to administrative review. If a proposal is exempt, none of the procedural requirements of this chapter apply to the proposal. The City shall not require completion of an environmental checklist for an exempt proposal.

(b) In determining whether or not a proposal is exempt, the Planning Department shall make certain that the proposal is properly defined, and shall identify the governmental licenses required (WAC 197-11-060). If a proposal includes exempt and nonexempt actions, the Planning Department shall determine the lead agency even if the license application that triggers the Department's consideration is exempt.

(c) If a proposal includes both exempt and nonexempt actions, the City may authorize exempt actions prior to compliance with the procedural requirements of this chapter, except that:

(1) The City shall not give authorization for:

(i) Any nonexempt action;

(ii) Any action that would have an adverse environmental impact; or

(iii) Any action that would limit the choice of alternatives;

(2) The responsible official may withhold approval of an exempt action that would lead to modification of the physical environment, when such modification would serve no purpose if nonexempt action(s) were not approved; and

- (3) The responsible official may withhold approval of exempt actions that would lead to substantial financial expenditures by a private applicant when the expenditures would serve no purpose if nonexempt action(s) were not approved.
- (d) Threshold Levels for Categorical Exemptions in Bremerton, excluding the Eastside Village. Pursuant to WAC 197-11-800(1)(c) and (1)(d), cities may adopt raised levels of threshold exemptions for certain types of actions, except as provided in WAC 197-11-305 and 197-11-800(1)(a). As authorized pursuant to WAC 197-11-800(1)(c) and (1)(d), the following threshold exemptions are adopted:
- (1) The construction or location of thirty (30) or fewer single-family residential units.
 - (2) The construction or location of sixty (60) or fewer multifamily residential units.
 - (3) The construction of an office, school, commercial, recreational, service or storage building with thirty thousand (30,000) square feet of gross floor area, and with associated parking facilities designed for ninety (90) parking spaces.
 - (4) The construction of a parking facility designed for ninety (90) parking spaces.
 - (5) Any landfill or excavation of one thousand (1,000) cubic yards throughout the lifetime of the fill or excavation, and any fill or excavation classified as Class I, II, or III forest practice under RCW 76.09.050 or regulations thereunder.
- (e) Threshold Levels for Categorical Exemptions in Eastside Village. As authorized pursuant to WAC 197-11-800(1)(b), except as provided in WAC 197-11-305 and 197-11-800(1)(a), the following threshold exemptions are adopted. Developments greater than this scale are subject to the Eastside Village Planned Action Ordinance No. 5401.
- (1) The construction or location of four (4) or fewer single-family residential units.
 - (2) The construction or location of four (4) or fewer multifamily residential units.
 - (3) The construction of an office, school, commercial, recreational, service or storage building with four thousand (4,000) square feet of gross floor area, and with associated parking facilities designed for twenty (20) parking spaces.
 - (4) The construction of a parking facility designed for twenty (20) parking spaces.
 - (5) Any landfill or excavation of one hundred (100) cubic yards throughout the lifetime of the fill or excavation, and any fill or excavation classified as Class I, II, or III forest practice under RCW 76.09.050 or regulations thereunder.

SECTION 7. Conflict. In the event of a conflict between this Ordinance or any mitigation measures imposed thereto, and any Ordinance or regulation of the City, the provisions of this Ordinance shall control, except that the provision of any International Building Code shall supersede.

SECTION 8. Corrections. The City Clerk and codifiers of this ordinance are authorized to make necessary corrections to this ordinance, including but not limited to, the correction of scrivener, clerical, typographical, and spelling errors, references, ordinance numbering, section/subsection numbers and any references thereto.

SECTION 9. Severability. If any one or more sections, subsections, or sentences of this Ordinance are held to be unconstitutional or invalid such decision shall not affect the validity of the remaining portions of this Ordinance and the same shall remain in full force and effect.

SECTION 10, Effective Date. This ordinance shall take effect and be in force ten (10) days from and after its passage, approval and publication as provided by law.

PASSED by the City Council the 7th day of October, 2020


Eric Younger, Council President


Approved this 8th day of October, 2020


Greg Wheeler, Mayor

ATTEST:


Angela Hoover, City Clerk

APPROVED AS TO FORM:


Roger A. Lubovich, City Attorney

PUBLISHED the 10 day of October, 2020
EFFECTIVE the 20 day of October, 2020

ORDINANCE NO. 5402

Exhibit A: Eastside Village Subarea Planned Action Area



Source: City of Bremerton, Kitsap County Assessor; BERK, 2020.

Exhibit B. SEPA Checklist and Mitigation Measures

Exhibit B: Example Environmental Checklist and Required Mitigation Document

INTRODUCTION

The State Environmental Policy Act (SEPA) requires environmental review for project and non-project proposals that are likely to have adverse impacts upon the environment. In order to meet SEPA requirements, the City of Bremerton issued the Eastside Village Planned Action Draft Environmental Impact Statement (EIS) on March 6, 2020, and the Final EIS was issued on September 14, 2020. The Draft and the Final EIS together are referenced herein as the "EIS". The EIS has identified significant beneficial and adverse impacts that are anticipated to occur with the future development of the Planned Action Area, together with a number of possible measures to mitigate those significant adverse impacts.

On October 7, 2020, the City of Bremerton adopted Ordinance No. 5401 establishing a planned action designation for the Eastside Village studied as Planned Action in the EIS (see **Exhibit A**). SEPA Rules indicates review of a project proposed as a planned action is intended to be simpler and more focused than for other projects (WAC 197-11-172). In addition, SEPA allows an agency to utilize a modified checklist form that is designated within the planned action ordinance (see RCW 43.21c.440). This **Exhibit B-1** provides a modified checklist form adopted in the Eastside Village Planned Action Ordinance.

MITIGATION DOCUMENT

A Mitigation Document is provided in **Exhibit B-2**, and also summarized in the environmental checklist. **Exhibit B-2** establishes specific mitigation measures, based upon significant adverse impacts identified in the EIS. The mitigation measures shall apply to future development proposals which are consistent with the Planned Action scenarios reviewed in the EIS, and which are located within the Eastside Village Planned Action Area (see **Exhibit A**). In addition **Exhibit B-3** provides details of transportation and parks mitigation requirements.

APPLICABLE PLANS AND REGULATIONS

The EIS identifies specific regulations that act as mitigation measures. These are summarized in **Exhibit B-4** by EIS topic, and are advisory to applicants. All applicable federal, state, and local regulations shall apply to Planned Actions, including the regulations that are adopted with the Preferred Alternative. Planned Action applicants shall comply with all adopted regulations where applicable including those listed in the EIS and those not included in the EIS.

INSTRUCTIONS TO APPLICANTS

This environmental checklist asks you to describe some basic information about your proposal. The City of Bremerton will use this checklist to determine whether the project is consistent with the analysis in the Eastside Village Planned Action EIS and qualifies as a planned action, or would otherwise require additional environmental review under SEPA. Answer the questions briefly, with the most precise information known, or give the best description you can. You must answer each question accurately and carefully, to the best of your knowledge. The checklist questions apply to all parts of your proposal, even if you plan to do them over a period of time or on different parcels of land. Attach any additional information that will help describe your proposal or its environmental effects. The City may ask you to explain your answers or provide additional information. In most cases, you should be able to answer the questions from your own project plans and the Planned Action EIS without the need to hire experts.

EXHIBIT B-1 MODIFIED SEPA CHECKLIST

A. Proposal Description

Date:			
Applicant:			
Property Owner:			
Property Address	Street:	City, State, Zip Code:	
Parcel Information	Assessor Parcel Number:	Property Size in Acres:	
Give a brief, complete description of your proposal.			
Property Zoning	District Name:	Building Type:	
Permits Requested (list all that apply)	Land Use:	Engineering:	
	Building:	Other:	
	All Applications Deemed Complete? Yes ___ No ___		
	Explain:		
Existing Land Use	Are there pending governmental approvals of other proposals directly affecting the property covered by your proposal? Yes ___ No ___		
	Explain:		
Proposed Land Use – Check and Circle All That Apply	Mixed Use Residential	Commercial Open Space, Recreation	
Dwellings	# Existing Dwellings: #___ Dwelling Type #___ Dwelling Type	# Proposed Dwellings Units: #___ Type #___ Type	Proposed Density (du/ac):
	Dwelling Threshold Total in Ordinance: 5401	Dwelling Bank Remainder as of _____ 20____ _____ dwellings	
Non-residential Uses: Building Square Feet	Existing:	Proposed:	
	Employment in Ordinance: 5401	Job Remainder as of _____ 20____ _____ square feet	

Building Height	Existing Stories: Existing Height in feet		Proposed Stories: Proposed Height in feet:	
Parking Spaces	Existing:		Proposed:	
Impervious Surfaces	Existing Square Feet:		Proposed Square Feet:	
PM Peak Hour Weekday Vehicle Trips	Existing Estimated Trips Total:	Future Estimated Trips Total:		Net New Trips:
	Source of Trip Rate: ITE Manual ____ Other ____		Transportation Impacts Determined Consistent with BMC Chapter 11.12 Transportation Development Code: Yes ____ No ____	
Proposed timing or schedule (including phasing).				
Describe plans for future additions, expansion, or further activity related to this proposal.				
List any available or pending environmental information directly related to this proposal.				

B. Environmental Checklist and Mitigation Measures

NATURAL ENVIRONMENT CHECKLIST AND MITIGATION MEASURES

Geology/Soils Checklist and Mitigation Measures	
<p>1. Description of Conditions</p> <p>A. General description of the site (circle one): Flat, rolling, hilly, steep slopes, mountainous, other _____</p> <p>B. What is the steepest slope on the site (approximate percent slope)? _____</p> <p>C. What general types of soils are found on the site (for example, clay, sand, gravel, peat, muck)? _____</p>	<p>Staff Comments:</p>
<p>2. Describe the purpose, type, and approximate quantities of any filling or grading proposed. Indicate source of fill.</p>	
<p>3. Has any part of the site been classified as a "geologically hazardous" area? (Check all that apply)</p> <p><input type="checkbox"/> Landslide Hazards</p> <p><input type="checkbox"/> Erosion Hazards</p> <p><input type="checkbox"/> Seismic Hazards</p> <p><input type="checkbox"/> Liquefaction Hazards</p> <p><input type="checkbox"/> Other: _____</p> <p>Describe:</p>	
<p>4. Proposed Measures to control impacts including Exhibit B-1 and B-4 regarding Mitigation Required for Development Applications and Exhibit B-3 Applicable Regulations:</p> <p><input type="checkbox"/> Temporary erosion and sediment controls</p> <p><input type="checkbox"/> Compliance with grading and fill standards</p> <p><input type="checkbox"/> Compliance with Critical Area Regulations</p> <p>Explain:</p>	

Water Resources/Stormwater Checklist and Mitigation Measures	
<p>5. Will the proposal require or result in (check all that apply and describe below):</p> <p><input type="checkbox"/> any work over, in, or adjacent to (within 200 feet) Port Washington Narrows?</p> <p><input type="checkbox"/> fill and dredge material that would be placed in or removed from surface water or wetlands?</p> <p><input type="checkbox"/> surface water withdrawals or diversions?</p> <p><input type="checkbox"/> discharges of waste materials to surface waters?</p> <p><input type="checkbox"/> groundwater withdrawal or discharge?</p> <p><input type="checkbox"/> waste materials entering ground or surface waters?</p>	<p>Staff Comments:</p>
<p>6. Describe the source of runoff (including stormwater) and method of collection, treatment, and disposal, if any (include quantities, if known). Where will this water flow? Will this water flow into other waters? If so, describe.</p>	
<p>7. Is the area designated a critical aquifer recharge area? If so, please describe:</p>	

Water Resources/Stormwater Checklist and Mitigation Measures

<p>8. About what percent of the site will be covered with impervious surfaces after project construction (for example, asphalt or buildings)?</p>	
<p>9. What measures are proposed to reduce or control water resources/stormwater impacts?</p> <p>Proposed Measures to control impacts including Exhibit B-1 and B-4 regarding Mitigation Required for Development Applications and Exhibit B-3 Applicable Regulations (check all that apply):</p> <ul style="list-style-type: none"> <input type="checkbox"/> Compliance with construction-related stormwater requirements, including temporary erosion and sediment control, and development and implementation of a stormwater pollution and spill prevention plan. <input type="checkbox"/> Determination of necessary permanent, long-term water quality treatment requirements. <input type="checkbox"/> Low Impact Development (LID) techniques employed, consistent with BMC 15.04.020 and the Eastside Village Subarea Plan? <input type="checkbox"/> Adequate erosion protection at outfalls. <input type="checkbox"/> Other: <p>Explain:</p>	

Plants and Animals Checklist and Mitigation Measures

<p>10. Check or circle types of vegetation found on the site:</p> <ul style="list-style-type: none"> <input type="checkbox"/> Deciduous tree: Alder, maple, aspen, other _____ <input type="checkbox"/> Evergreen tree: Fir, cedar, pine, other _____ <input type="checkbox"/> Shrubs <input type="checkbox"/> Grass <input type="checkbox"/> Pasture <input type="checkbox"/> Crop or grain <input type="checkbox"/> Wet soil plants: Cattail, buttercup, bullrush, skunk cabbage, other _____ <input type="checkbox"/> Water plants: Water lily, eelgrass, milfoil, other _____ 	<p>Staff Comments:</p>
<p>Other types of vegetation: _____</p>	
<p>11. Are there wetlands on the property? Please describe their acreage and classification.</p>	
<p>12. Is there riparian habitat on the property?</p>	
<p>13. What kind and amount of vegetation will be removed or altered?</p>	
<p>14. List threatened or endangered species known to be on or near the site</p>	
<p>15. Are there plants or habitats subject to Critical Areas and/or Shoreline Master Program?</p>	
<p>16. Is the proposal consistent with critical area regulations, shoreline regulations, and requirements of the Eastside Village Subarea Plan? Please describe.</p>	
<p>17. Proposed landscaping, use of native plants, buffers, or other measures to preserve or enhance vegetation on the site, if any:</p>	

Plants and Animals Checklist and Mitigation Measures

18. Proposed Measures to control impacts including **Exhibit B-1 and B-4** regarding Mitigation Required for Development Applications and **Exhibit B-3** Applicable Regulations (**check all that apply**):

- ☐ Compliance with Critical Areas Ordinance
- ☐ Compliance with Shoreline Master Program
- ☐ Implementation of on-site or street frontage green infrastructure
- ☐ Other:

Explain:

LAND USE/POPULATION, EMPLOYMENT, AND HOUSING/HISTORIC RESOURCES CHECKLIST AND MITIGATION MEASURES

Population/Employment/Housing Land Use Checklist and Mitigation Measures

19. What is the current use of the site and adjacent properties?	Staff Comments:
20. Describe any structures on the site. Will any structures be demolished? If so, what type, dwelling units, square feet?	
21. The current Comprehensive Plan designation is "Subarea Plan". What is the current zoning classification of the site?	
22. What is the current Comprehensive Plan designation and zoning classification of adjacent sites?	
23. If applicable, what is the current shoreline master program designation of the site?	
24. What is the planned use of the site? List type of use, number of dwelling units and building square feet.	
25. Approximately how many people would reside or work in the completed project?	
26. Approximately how many units would be provided, if any? Indicate whether high, middle, or low-income housing.	
27. Approximately how many units, if any, would be eliminated? Indicate whether high, middle, or low-income housing.	
28. Approximately how many people would the completed project displace?	
29. Are there any buildings, structures, or sites, located on or near the site that are over 45 years old listed in or eligible for listing in national or state preservation registers? If so, specifically describe.	
30. Are there any landmarks, features, or other evidence of Indian or historic use or occupation. This may include human burials or old cemeteries. Are there any material evidence, artifacts, or areas of cultural importance on or near the site? Please list any professional studies conducted at the site to identify such resources.	

Population/Employment/Housing Land Use Checklist and Mitigation Measures

Proposed Measures to control impacts including **Exhibit B-1 and B-4** regarding Mitigation Required for Development Applications and **Exhibit B-3** Applicable Regulations (**check all that apply**):

- ☐ Compliance with Eastside Village Subarea Plan.
- ☐ Compliance with other applicable land use and shoreline policies and development regulations.
- ☐ Compliance with tribal, federal, or state consultations or permits for cultural or eligible historic resources.
- ☐ Other

Explain:

TRANSPORTATION CHECKLIST AND GREENHOUSE GAS MITIGATION MEASURES

Transportation Checklist and Mitigation Measures

31. Identify public streets and highways serving the site, and describe proposed access to the existing street system. Show on site plans, if any.	Staff Comments:
32. Is site currently served by public transit? If not, what is the approximate distance to the nearest transit stop?	
33. How many parking spaces would the completed project have? How many would the project eliminate?	
34. Will the proposal require any new roads or streets, or improvements to existing roads or streets, not including driveways? If so, generally describe (indicate whether public or private).	
35. How many PM peak hour vehicular trips per day would be generated by the completed project?	
36. Is the land use addressed by the EIS Greenhouse Gas Analysis?	
37. Proposed Measures to control impacts including Exhibit B-1 and B-4 regarding Mitigation Required for Development Applications and Exhibit B-3 Applicable Regulations (check all that apply): <ul style="list-style-type: none"> <input type="checkbox"/> Evaluate and mitigate roadways consistent with Planned Action Ordinance Section 4.D(3). <input type="checkbox"/> Transportation Management Programs (TMPs) <input type="checkbox"/> Parking Reduction Incentive <input type="checkbox"/> Other: 	
Explain:	

AESTHETICS CHECKLIST AND MITIGATION MEASURES

Aesthetics Checklist and Mitigation Measures	
38. What is the tallest height of any proposed structure(s)?	Staff Comments:
39. Would any views in the immediate vicinity be altered or obstructed?	
40. Would the proposal produce light or glare? What time of day would it mainly occur?	
41. Could light or glare from the finished project be a safety hazard or interfere with views?	
42. What existing offsite sources of light or glare may affect your proposal?	
43. Would shade or shadow affect public parks, recreation, open space, or gathering spaces?	
44. Proposed Measures to control impacts including Exhibit B-1 and B-4 regarding Mitigation Required for Development Applications and Exhibit B-3 Applicable Regulations (check all that apply): <ul style="list-style-type: none"> <input type="checkbox"/> Compliance with Eastside Village Subarea Plan. <input type="checkbox"/> Use of Incentives for Height including public benefits in exchange for increased height? <input type="checkbox"/> Compliance with other applicable land use and shoreline policies and development regulations. <input type="checkbox"/> Other: Explain:	

PUBLIC SERVICES AND UTILITIES CHECKLIST AND MITIGATION MEASURES

Public Services and Utilities Checklist	
45. Water Supply: Would the project result in an increased need for water supply or fire flow pressure? Can City levels of service be met?	Staff Comments:
46. Wastewater: Would the project result in an increased need for wastewater services? Can City levels of service be met?	
47. Police Protection: Would the project increase demand for police services? Can City levels of service be met?	
48. Fire and Emergency Services: Would the project increase demand for fire and/or emergency services? Can levels of services be met?	
49. Schools: Would the project result in an increase in demand for school services? Can levels of services be met? Is an impact fee required?	

Public Services and Utilities Checklist

50. Parks and Recreation: Would the project require an increase in demand for parks and recreation? Can levels of services be met?

51. Other Public Services and Utilities: Would the project require an increase in demand for other services and utilities? Can levels of services be met?

52. Proposed Measures to control impacts including **Exhibit B-1 and B-4 regarding Mitigation Required for Development Applications and Exhibit B-3 Applicable Regulations (check all that apply):**

- ☐ Capital Facility Plan has been considered, and development provides its fair share of the cost of improvements consistent with applicable local government plans and codes.
- ☐ Law enforcement agency has been consulted, and development reflects applicable code requirements.
- ☐ Fire protection agency has been consulted, and development complies with Uniform Fire Code.
- ☐ School district has been consulted, and appropriate mitigation has been provided, if applicable.
- ☐ Onsite park/recreation is required, or fee-in- lieu.
- ☐ Developer has coordinated with City to ensure that sewer lines, water lines, or stormwater facilities will be extended to provide service to proposed development site where required.
- ☐ General facility charges have been determined to ensure cumulative impacts to utilities are addressed.
- ☐ Other Measures to reduce or control public services and utilities impacts:

Explain:

C. Applicant Signature

The above answers are true and complete to the best of my knowledge. I understand that the lead agency is relying on them to make its decision.

Signature:

Date:

D. Review Criteria

REVIEW CRITERIA

The City's SEPA Responsible Official may designate "planned actions" consistent with criteria in Ordinance No. 5402 Subsection 4.E.

Criteria	Discussion
(a) the proposal is located within the Planned Action area identified in Exhibit A of this Ordinance;	
(b) the proposed uses and densities are consistent with those described in the Planned Action EIS and Section 4.D of this Ordinance;	
(c) the proposal is within the Planned Action thresholds and other criteria of Section 4.D of this Ordinance;	
(d) the proposal is consistent with the City of Bremerton Comprehensive Plan and the Eastside Village Subarea Plan;	
(e) the proposal's significant adverse environmental impacts have been identified in the Planned Action EIS;	
(f) the proposal's significant impacts have been mitigated by application of the measures identified in Exhibit B, and other applicable City regulations, together with any modifications or variances or special permits that may be required;	
(g) the proposal complies with all applicable local, state and/or federal laws and regulations, and the SEPA Responsible Official determines that these constitute adequate mitigation;	
(h) the proposal is not an essential public facility as defined by RCW 36.70A.200(1), unless the essential public facility is accessory to or part of a development that is designated as a planned action under this ordinance.	

DETERMINATION CRITERIA

Applications for planned actions shall be reviewed pursuant to the process in Ordinance No. 5402 Section 4.G.

Requirement	Discussion
Applications for planned actions were made on forms provided by the City including this Eastside Village Environmental Checklist and Mitigation Document.	

Requirement	Discussion
The application has been deemed complete in accordance with BMC Chapter 20.02.	
The proposal is located within Planned Action Area pursuant to Exhibit A of this Ordinance	
The proposed use(s) are listed in Section 4D of the Ordinance and qualify as a Planned Action.	

E. SEPA Responsible Official Determination

A. Qualifies as a Planned Action: The application is consistent with the criteria of Ordinance 5402 and thereby qualifies as a Planned Action project.

It shall proceed in accordance with the applicable permit review procedures specified in Ord 5402, except that no SEPA threshold determination, EIS or additional SEPA review shall be required.

Notice shall be made pursuant to BMC Chapter 20.02. as part of notice of the underlying permits and shall include the results of the Planned Action determination. If notice is not otherwise required for the underlying permit, no special notice is required. See Section 4.G(3)(a) regarding notice of the Type 1 decision.

The review process for the underlying permit shall be as provided in BMC Chapter 20.02.

NOTE: If it is determined during subsequent detailed permit review that a project does not qualify as a planned action, this determination shall be amended.

Signature

Date:

B. Does not Qualify as Planned Action: The application is not consistent with the criteria of Ordinance 5402, and does not qualify as a Planned Action project for the following reasons:

Projects that fail to qualify as Planned Actions may incorporate or otherwise use relevant elements of the Planned Action EIS, as well as other relevant SEPA documents, to meet their SEPA requirements. The SEPA Responsible Official may limit the scope of SEPA review for the non-qualifying project to those issues and environmental impacts not previously addressed in the Planned Action EIS.

SEPA Process Prescribed:

C. Responsible Official Signature

Signature:

Date:

EXHIBIT B-2 MITIGATION DOCUMENT

A Mitigation Document is provided in this Exhibit B-1 to establish specific mitigation measures based upon significant adverse impacts identified in the Planned Action EIS. The mitigation measures in this Exhibit B-1 shall apply to Planned Action Project applications that are consistent with the Preferred Alternative range reviewed in the Planned Action EIS and which are located within the Planned Action Area (see Exhibit A).

Where a mitigation measure includes the words "shall" or "will," inclusion of that measure in Planned Action Project application plans is mandatory in order to qualify as a Planned Action Project. Where "should" or "would" appear, the mitigation measure may be considered by the project applicant as a source of additional mitigation, as feasible or necessary, to ensure that a project qualifies as a Planned Action Project. Unless stated specifically otherwise, the mitigation measures that require preparation of plans, conduct of studies, construction of improvements, conduct of maintenance activities, etc., are the responsibility of the applicant or designee to fund and/or perform.

The City's SEPA Responsible Official's authorized designee shall determine consistency with this mitigation document.

Natural Environment

1. Planned Actions shall be consistent with subarea plan dimensional and development standards including maximum impervious coverages.
2. Planned Actions shall implement required street frontages in the subarea plan, including landscaping and green infrastructure.
3. Planned Actions may incorporate development incentives for green stormwater retrofits that provide water quality benefits beyond standard requirements by code.
4. Planned Actions must provide onsite open space per dwelling unit. Per Exhibit B-3 development may achieve a portion of the open space standard via in-lieu fees applied to common park space including green infrastructure.

Population, Employment, and Housing

5. Planned Actions are subject to regulations applied to existing development and uses in the subarea plan including but not limited to proportional compliance intended to allow existing development and progress towards the subarea plan vision and zoning intent.

Land Use and Aesthetics

6. Planned Actions shall be consistent with subarea plan development standards and guidelines.
7. Planned Actions shall provide site and building design features to protect public views of the Downtown and Port Washington Narrows from public properties or public streets near Lower Wheaton Way and Callahan Drive consistent with the subarea plan.
8. Within shoreline jurisdiction, Planned Actions must be consistent with cultural resources policies and regulations. Outside of shoreline jurisdiction, Planned Actions shall be conditioned to be consistent with Inadvertent Human Remains Discovery Language recommended by the State of Washington Department of Archaeology and Historic Preservation as a condition of project approval consistent with RCWs 68.50.645, 27.44.055, and 68.60.055.

Transportation

9. Planned Actions shall implement parking standards consistent with the subarea plan.
10. Planned Actions shall implement required street frontage improvements consistent with the subarea plan and Exhibit B-3.

11. Planned Actions shall contribute mitigation fees for areawide multimodal transportation improvements based on each development's demand consistent with Exhibit B-3.

Public Services

12. Planned Actions shall demonstrate consistency with crime prevention through environmental design principles through compliance with subarea plan development standards and guidelines.

Utilities

13. Planned Actions shall meet City standards for adequate water and sewer service, pay applicable general facility charges, and incorporate water and sewer infrastructure improvements in street frontage improvements as appropriate.
14. Planned Actions shall implement required street frontages, including stormwater improvements, consistent with the subarea plan and Exhibit B-3.
15. Planned Action shall implement the required stormwater manual and implement necessary stormwater improvements. If a regional stormwater facility is approved by the City, an applicant may request or the City may condition development to pay a fee based on the area of new and replaced impervious surface subject to the applicable stormwater management manual in place at the time of application.

EXHIBIT B-3 ADDITIONAL MITIGATION REQUIREMENTS & PROCEDURES

Transportation

Frontage Improvements

- A. When a property redevelops and applies for permits, frontage improvements (or in-lieu contributions) and right-of-way dedications if needed are required by the Bremerton Municipal Code (BMC 11.12.110).
- B. If right-of-way (or an easement) is needed, it also must be dedicated to the City by the Planned Action Application property owner. The City has developed specific cross sections in the Eastside Village Subarea Plan, which must be implemented as part of required street frontage improvements.
- C. Planned Action applicants may request and the City may consider a fee-in-lieu for some or all of the frontage improvements that are the responsibility of the property owner consistent with criteria in BMC 11.12.110 and agreements pursuant to RCW 82.02.020 or other instrument deemed acceptable to the City and applicant.

Mitigation Fees

- D. Areawide Improvements: Implementation of improvements identified in Table B.3-1 and Table B.3-2 shall occur through a SEPA fair share fee program such that new development contributes its share of the cost for these projects.
- E. Cost Basis: Unless amended, or replaced with a transportation impact fee, mitigation fees consistent with the proportionate share of costs shall be applied to planned action applications.
- F. A Planned Action's trips calculated per Section 4.D(3)(d) will be used to determine a development's demand and mitigation payment.
- G. Mitigation Fee Payable at Permit Issuance: The mitigation fee shall be payable at the time of building permit issuance.
- H. Credit: The City shall provide a credit for the value of dedication or improvement to or new construction of any system improvements provided by the developer in Table B.3-1 and Table B.3-2. The applicant shall be entitled to a credit for the value of the land or actual costs of capital facility construction against the fee that would be chargeable under the formula in subsection D above.
 - a. The dedication, improvement, or construction shall be conducted at suitable sites and constructed at acceptable quality as determined by the City. Such improvement or construction shall be completed, dedicated, or otherwise transferred to the City prior to the determination and award of a credit.
 - b. The value of a credit for right of way and easements shall be established based on an average deviation of sales value compared to assessed value using Kitsap County Assessor information. If there is a disagreement on value, the appraisal and review shall be prepared by a licensed appraiser in good standing with the State of Washington and at the expense of the applicant.
 - c. The reduction in fees for implementing frontage improvements that are considered a system improvement that meets areawide demand is addressed in Table B.3-3.
- I. The Planned Action Share Transportation Fees will be incorporated into the City master fee schedule. Fees shall be subject to biennial review to affirm the cost basis including a construction cost index or an equivalent as determined by the City.

Figure B.3-1. Multimodal Transportation Improvements

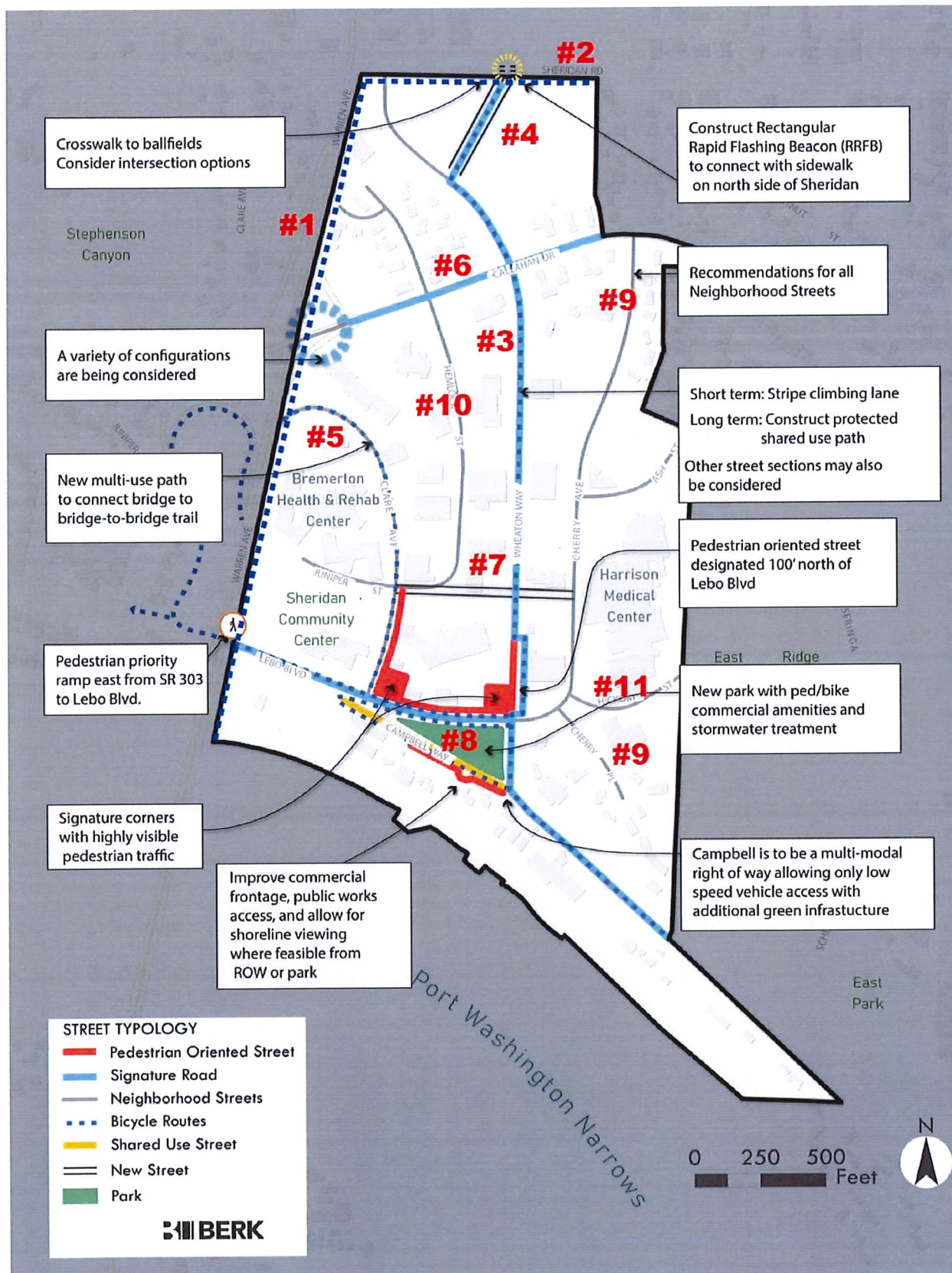


Table B.3-1. Multimodal Transportation Improvements

Number	Street	Pedestrian Priority	Bike Priority	Transit Priority	Urban Design Framework	Cost (Prelim, Millions)	Mit. Fee Basis
Improvements to Priority Routes and Pedestrians, Bicycle, Transit, and Intersection Levels of Service							
Segments							
1	SR 303: Ped/Bike	X	X			\$2.6	
2	Sheridan Road	X	X	X		\$1.7	X
3	Wheaton Way	X	X*	X	Signature	\$6.3	X
4	Wheaton Way	X	X*	X	Signature	\$1.5	X
5	Clare Avenue		X*		Bicycle Route	\$3.3	X
Subtotal						\$15.4	
Signals							
A	Clare/Lebo					\$0.8	X
Subtotal						\$0.8	
Other Frontage Improvements to Meet Cross Section							
6	Juniper Street				New Street**	\$0.9	X
7	Callahan Drive			X	Signature	\$1.7	X
8	Campbell Way				Shared Use	\$0.6	X
9	Cherry Avenue		*	X	Neighborhood	\$3.2	
10	Hemlock Street				Neighborhood	\$1.9	
11	Hickory Street				Neighborhood	\$0.5	
Subtotal						\$8.8	
Total						\$25.0	

Notes: *Proposed Priority Bike Route to be shifted from Cherry Avenue to Lower Wheaton Way. Also, addition of Clare Avenue to Priority Bike Routes.

** Provides a more direct connection from SR 303 and Clare Avenue to Wheaton Way.

Table B.3-2. Cost Basis and Per Trip Fee: Preferred Alternative Planned Action Share

Scenario	Total Cost, Projects in Fee Basis (\$2020)	Planned Action Share of Cost (\$2020)**	Fee Per Trip (\$2020)
PM Peak Hour Trips*			243
Multi-modal LOS Improvements	\$12,819,700	\$1,579,715	\$6,501
Transportation Intersection LOS Mitigation	\$750,000	\$92,400	\$380
Areawide Contribution to Frontage Improvements	\$3,195,900	\$393,800	\$1,621
Total	\$16,765,600	\$2,065,915	\$8,502

* Net trips above existing vehicle trips as calculated in the Planned Action EIS.

**The share of cost is based on the new demand for improvements to meet City standards and fair share; approximately 12.32% of total trips are due to new growth.

Table B.3-3. Per Trip Fee accounting for Implementation of Site Frontage Improvements (\$2020)

Location of Frontage Improvement	Fee Per Trip excluding Frontage Improvement
Wheaton Way	\$5,308
Juniper Street	\$6,881
Callahan Drive	\$7,628
Campbell Way	\$8,218

Parks and Open Space

- A. A Planned Action shall provide the common and private open space required per dwelling in the Eastside Village Subarea Plan.
- B. A development may pay a fee in lieu of providing up to 50% common open space or up to 50% of the private open space onsite. The in-lieu fee shall be equal to the average fair market value of the land otherwise required to be provided in on-site common or private open space. The in-lieu fees shall support park land purchase and improvements or shoreline access and improvements within the 10-minute walk service area in Figure B.3-2 for any park, trail, stormwater park, or shoreline access identified in the Eastside Village Subarea Plan, Parks, Recreation, and Open Space Plan, and Capital Facility Plan.
- C. The payment shall be held in a reserve account by the City and may only be expended to fund a capital improvement for parks and recreation facility identified in the Eastside Village Subarea Plan. The payment shall be expended in all cases within five years of collection. Any payment not so expended shall be refunded with interest to be calculated from the original date the deposit was received by the City and at the same rate applied to tax refunds pursuant to RCW 84.69.100; however, if the payment is not expended within five years due to delay attributable to the developer, the payment shall be refunded without interest.

Figure B.3-2. 10-Minute Walk Area

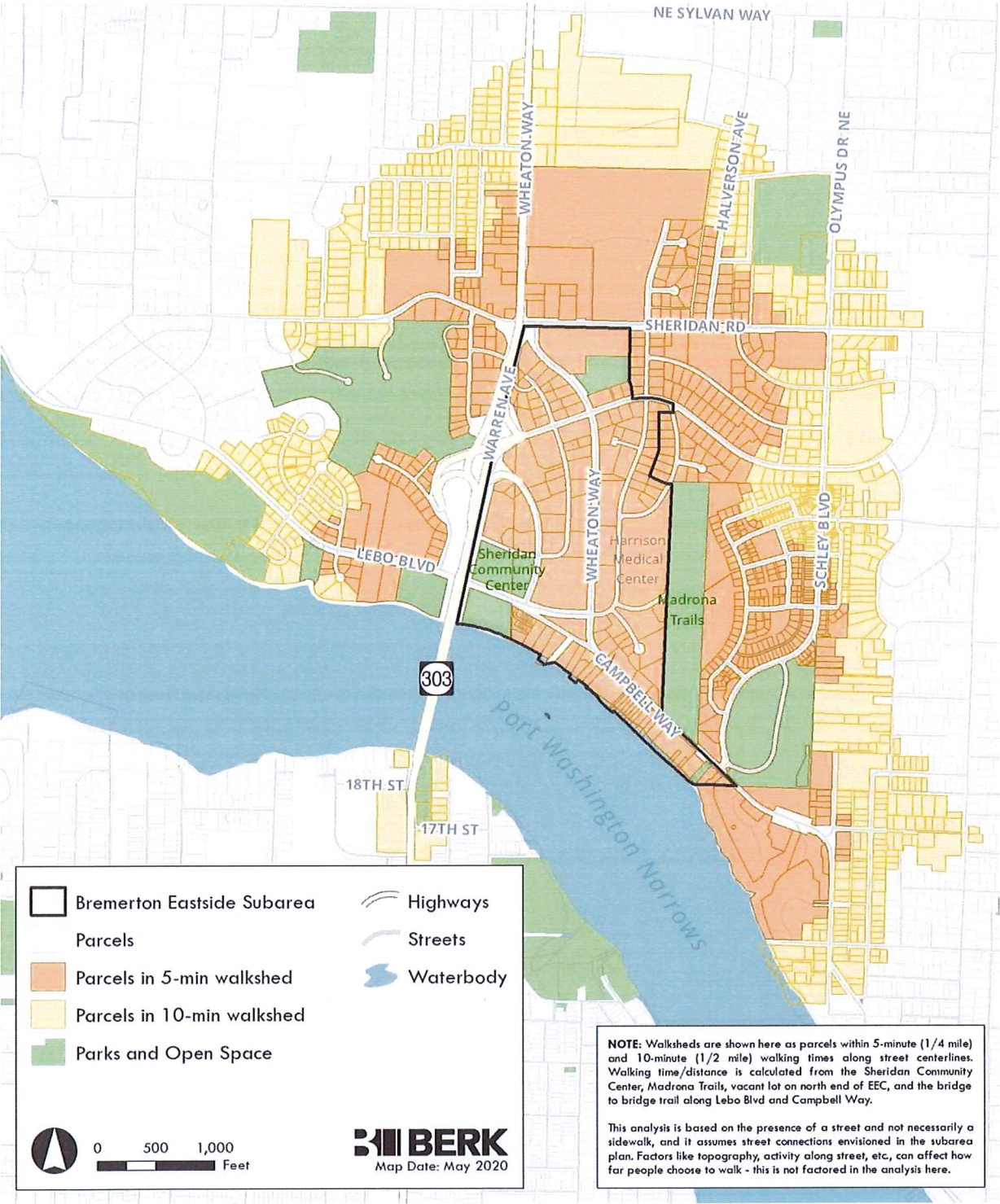


EXHIBIT B-4 APPLICABLE REGULATIONS AND ADVISORY NOTES

The Eastside Village Subarea Plan includes goals, policies, and development regulations as well as capital investments. In addition, the following regulations may apply.

Natural Environment

Development and redevelopment projects within the study area that have the potential to impact environmentally sensitive natural resources will require compliance with federal, state, and local regulations. Mitigation sequencing to avoid, minimize, and mitigate environmental impacts is typically required for all applicable permitting reviews and authorizations. The table below provides a regulatory permit matrix for actions requiring local, state, and federal authorizations. Appropriate mitigation measures specific to project alternatives will need to be proposed when alternatives are farther along in the planning process. This may include preservation, enhancement, and restoration of wetland and marine shoreline buffer.

Environmental Regulations

Jurisdictional Agency	Regulations/Authorizations
City of Bremerton	Pre-Application submittal Conference SEPA Determination (No Action Alternative) Planned Action Consistency Determination (Action Alternatives) Shoreline Exemption or Substantial Development Permit Critical Areas Review
Washington State Department of Ecology (Ecology)	Section 401 Water Quality Certification Construction Stormwater General Permit Coastal Zone Management Act Consistency Certification
Washington Department of Fish and Wildlife (WDFW)	Hydraulic Project Approval (HPA)
Department of Archaeology and Historic Preservation (DAHP)	Cultural Resources Review Form EZ1
U.S. Army Corps of Engineers	Section 404 Clean Water Act Section 10 Rivers and Harbor act Requires Compliance with: Section 7 of Endangered Species Act Section 106 Historic Preservation Act Magnuson-Stevens Act

Sources: City of Bremerton Municipal Code; Herrera 2020.

Population, Employment, and Housing

None.

Land Use and Aesthetics

Bremerton's Municipal Code contains regulations that help to ensure land use compatibility.

- Title 20 Land Use Code, except where regulated by the Subarea Plan and associated development regulations.

- Bremerton Shoreline Master Program (SMP).

In terms of historic and cultural resources the following local, state, and federal laws or rules apply:

- Bremerton's SMP includes policies and regulations that would require appropriate cultural review by tribal and other agencies.
- State funded capital projects require Governor's Executive Order 0505 review. Implementation of the Executive Order requires all state agencies implementing or assisting capital projects using funds appropriated in the State's biennial Capital Budget to consider how future proposed projects may impact significant cultural and historic places.
- Section 106 of the National Historic Preservation Act requires that each federal agency identify and assess the effects its actions may have on historic buildings.

Transportation

The following regulations address transportation:

- Travel Demand Management (TDM): Washington State Commute Trip Reduction (CTR) law requires employers with 100 or more employees and located in high-population counties to implement TDM programs.
- Bremerton 2016 ADA Transition Plan
- Bremerton Complete Streets Ordinance
- Bremerton Capital Improvement Program
- The following sections of the BMC:
 - 11.12.090 Dedication of Right-Of-Way.
 - 11.12.110 Street Frontage Improvements.

Public Services

The following regulations address public services:

- Title 18 Fire – Includes requirements for fire suppression.
- City Services Element and Appendix – Addresses levels of service and capital improvements for fire, police, and parks. This is updated every eight years with the Comprehensive Plan.
- Parks, Recreation, and Open Space (PROS) Plan 2020 – Establishes a plan for 2020-2025 and a 20-year plan including capital projects.
- Bremerton School District Levy 2020 – Addresses Capital Replacement projects to ensure proper function of current schools.

Utilities

Water

When evaluating new construction, Bremerton Public Works and Utilities Department personnel determine the ability of the water system to meet fire flow requirements at that location with a minimum of 20 psi residual pressure throughout the distribution system. If the water system cannot provide the required fire flow for the specific project, the developer is required to revise building construction and/or make the necessary improvements to the distribution system to meet the project's fire flow requirements as established by the Fire Marshal.

BMC Chapter 15.02 includes provisions for service connections and mains to be upgraded by developers during redevelopment if required to meet engineering design and construction standards. Chapter 15.02 also includes provisions for installation of pumps if required to achieve adequate pressure during peak demands.

Wastewater

BMC Chapter 15.03 includes provisions for wastewater service connections and extensions when existing connections are inadequate or sewer mains are not present along the frontage of a property.

Stormwater

BMC Chapter 15.04 includes provisions that require redevelopment to meet stormwater management requirements of the Stormwater Management Manual for Western Washington related to stormwater treatment. Under all the alternatives these requirements are expected to result in a net improvement in the quality of stormwater that is discharged to the Port Washington Narrows. Because the entire EC drains directly to marine waters, and not to streams, redevelopment in the EC is exempt from flow control, however, stormwater detention may be required by the City on a case by case basis to address capacity concerns in the stormwater system and beach erosion at the outfall.

